

## House Resolution 1039

By: Representatives Bryant of the 160<sup>th</sup>, Stephens of the 164<sup>th</sup>, Carter of the 159<sup>th</sup>, Jackson of the 161<sup>st</sup>, Gordon of the 162<sup>nd</sup>, and others

## A RESOLUTION

Proposing an amendment to the Constitution so as to allow the owners of real property located in industrial areas to remove the property from the industrial area; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article XI, Section I, Paragraph IV of the Constitution is amended by revising subparagraph (e) as follows:

"(e) Any person owning property in an industrial area described in subparagraph (d) of this Paragraph may voluntarily remove the property from the industrial area by filing a certificate to that effect with the clerk of the superior court for the county in which the property is located; ~~but only if the property is located on an island.~~ Once the certificate is filed, the property described in the certificate, together with all public streets and public rights of way within the property, abutting the property, or connecting the property to property outside the industrial area, ~~will~~ shall no longer be in the industrial area and may be annexed by an adjacent city. The filing of a certificate ~~will~~ shall be irrevocable and ~~will~~ bind the owners, their heirs, and their assigns. The term 'owner' includes anyone with a legal or equitable ownership in property but does not include a beneficiary of any trust or a partner in any partnership owning an interest in the property or anyone owning an easement right in the property."

**SECTION 2.**

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

1     "( ) YES    Shall the Constitution of Georgia be amended so as to allow the owners of  
2                   real property located in industrial areas to remove the property from the  
3     ( ) NO    industrial area?"

4   All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

5   All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
6   such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
7   become a part of the Constitution of this state.